

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>Vincent R. Zinno</b> <b>Plaintiff,</b>  <b>v.</b>  <b>Geico General Insurance Company</b> <b>Defendant.</b>	<b>CIVIL ACTION</b>  <b>NO. 16-792-MMB</b>
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**ORDER**

And **NOW**, this 19th day of September, 2016, for the reasons stated in the foregoing memorandum, upon consideration of Defendant's motion for judgment on the pleadings (ECF 7) Plaintiff's Complaint, and all responses, replies, memoranda, and submissions thereto, it is hereby **ORDERED**:

Count II of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**, with leave to amend within fourteen (14) days from the date of this Order.

**BY THE COURT:**

/s/ Michael M. Baylson

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**Michael M. Baylson, U.S.D.J.**